

Notice of Allowability

Application No.

10/627,746

Examiner

Thu Nguyen

Applicant(s)

AIZAWA ET AL.

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on May 31, 2007.
2. ☒ The allowed claim(s) is/are 1-13, 20 (now renumbered as claims 1-14).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. This application is in condition for allowance except for the presence of claims 14-19 directed to species 2-7 non-elected without traverse. Accordingly, claims 14-19 have been cancelled. Restriction on claims 9-11 have been withdrawn in view of the allowance of independent claim 1.

The application has been amended as follows:

In the claim:

Please cancel claims 14-19.

In claim 9, line 1, replace the status "Withdrawn" with ---- (Original) ---- .

In claim 10, line 1, replace the status "Withdrawn" with ---- (Original) ---- .

In claim 11, line 1, replace the status "Withdrawn" with ---- (Original) ---- .

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

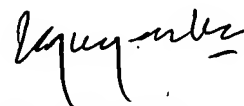
Prior arts of record do not disclose an automatic brake device disclosed in claim 1. The device includes a braking-force application unit that applies a braking force on a wheel of a vehicle on the basis of a brake actuating signal; an intended direction detecting unit that detects an intended movement direction in which a driver intends to move the vehicle; a starting

Art Unit: 3661

intention detecting unit that detects an operation input based on a starting intention of the driver to move the vehicle from a stopped state such that a speed of the vehicle becomes greater than 0km/h; a movement direction detecting unit that detects an actual movement direction of the vehicle; and a brake control unit that executes a halt-maintenance mode for applying a halt-maintenance braking force on the wheel to maintain the vehicle in a halted state, a movement direction detection mode for terminating the halt-maintenance mode when the starting intention detecting unit detects the starting intention of the driver, and for receiving input of the actual movement direction from the movement direction detecting unit, and an auxiliary brake mode for outputting the brake actuating signal for controlling the braking force on the basis of a relationship between the intended movement direction detected by the intended direction detecting unit and the actual movement direction.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

August 18, 2007


THU V. NGUYEN
PRIMARY EXAMINER